



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2305232
Applicant Name: Scott Cameron for John Stevens
Address of Proposal: 9253 45th Avenue Southwest

SUMMARY OF PROPOSED ACTION

Master Use Permit application to change the use of an accessory Administrative office use (approximately 425 square feet) to restaurant (Endolyne Joe's and The Last Stop Lounge), for a total of 4,415 square feet. In addition to the interior expansion of the existing restaurant, the project includes 200 square feet of outdoor dining area. One additional parking stall will be provided on the surface parking lot, to the south of the building, for a total of 27 stalls.

The following approval is required:

Special Exception - to allow a restaurant to exceed 4000 sq. ft. in a NC-1 zone.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction*

BACKGROUND DATA

Site and Vicinity Description

The subject site is located at the southwest corner of Southwest Wildwood Place and 45th Avenue Southwest in Seattle's West Seattle neighborhood. The development site is located within the Neighborhood Commercial One zone, with a height limit of 30 feet (NC1-30). The

existing site is nearly rectangular in shape, bowing outward at the lot's southeast corner and comprises a land area of 21,592 square feet. The property is currently developed with two commercial structures. One small one-story structure contains a dog grooming business (Canine Casa) and is located adjacent to the lot's southeast corner. The other one-story structure is located on the north half of the development site and contains several uses including; a photo studio, hair salon, bakery, and restaurant use. A surface parking lot serving 26 vehicles separates the two buildings at the development site. Parking is accessed through 45th Avenue Southwest right-of-way between the two structures. The lot slopes moderately downward from east to west. No signs of vegetation were noted at the development during the site visit.

The existing businesses at the development site appear to not be in conflict with one another during peak operation hours for each commercial use. Endolyne Joe's is the only business operating past 6:00 PM daily. The bakery and restaurant are the only businesses in operation during Sunday brunch. The site abuts three street rights-of-way; Southwest Wildwood Place, 45th Avenue Southwest, and Southwest Brace Point Drive. All streets are fully improved rights-of-way with sidewalks, gutters, and curbs.

The area is sparsely populated with commercial businesses in this small NC1-30 zone. Across 45th Avenue Southwest to the east is a two-story commercial office building. Kitty-corner from the development site to the northeast is a three-story mixed use building that contains the Guadalajara Mexican restaurant and residential units above. Wildwood Glen senior housing facility is located due north, across Southwest Wildwood Place. Also of note in the vicinity, Fauntleroy Community Service Agency located to the northeast, occupies a land area of over 130,500 square feet.

Zoning in the area is predominately Single Family 5000 (SF 5000) with a band of SF 9600 zoning along the Puget Sound shoreline to the west. The Washington State Department of Transportation's Fauntleroy Ferry Terminal is located in the SF9600 zoning band a few blocks to the northwest. Immediately to the west and north of the subject lot is a small area of Multifamily Lowrise Two (L2), with a minimum land area of 1,200 square feet of per dwelling unit. Also, Multifamily Lowrise Duplex Triplex (LTD) zone occupies a land area of approximately 12,750 square feet across Southwest Wildwood Place to the northwest. The general area slopes downward from east to west, providing this residential neighborhood with views of the Sound and the Olympic mountain range.

Proposal

The applicant proposes to convert a portion of the existing building, containing four different commercial uses that include a photo studio, hair salon, administrative office, bakery and (Endolyne Joe's and The Last Stop Lounge End) restaurant. An interior area of approximately 425 square feet previously permitted for administrative office use is proposed to be changed to restaurant use. The proposal includes establishing an additional 200 square foot outdoor dining area. The expansions will increase Endolyne Joe's area of use to approximately 4,615 square

feet. The indoor dining area will increase the seating capacity by approximately 20 patrons, and the outdoor area will add an additional 8 patrons. One additional parking stall is proposed to increase the total on-site surface parking count to 27 stalls.

Public Comment

Date of Notice of Application:	October 2, 2003
Date End of Comment Period:	October 29, 2003*
# Letters	26
Issues:	26 letters were received during the extended public comment period. Two of those letters conveyed objections to the proposed expansion. The comments addressed the detrimental impacts of outside activities associated with the restaurant use. Some of their expressed concerns covered employees congregating and smoking in the rear of the building. Restaurant customers using private parking stalls assigned to others, and odors from dumpsters adjacent to property line. Spillover parking during peak hours for the restaurant use was cited as having a negative impact on neighboring properties. The remaining 24 letters expressed the general opinion that the Endolyne Joe's and The Last Stop Lounge is a welcomed addition to the neighborhood.

*The public comment period originally ended on October 15, 2003 but was extended an additional two weeks due to public request.

ANALYSIS-SPECIAL EXCEPTION

Section 23.47.010 of the Seattle Municipal Code limits nonresidential uses, including institutions, to 4000 sq. ft. in NC1 zones. Section 23.47.010 also provides that increases in maximum size limits for operating businesses, up to a maximum of 10,000 sq. ft., may be permitted as Special Exceptions according to the procedures set forth in Chapter 23.76, Master Use Permits and Council Land Use Decisions. The decision to permit, condition or deny an increase in size is based upon an assessment of the following factors (SMC 23.47.010 G2):

“a. The impacts of the operating business establishment and the anticipated impacts if an increase in size were permitted;”

Restaurant impacts are fairly moderate within neighborhood commercial zones within the city. Typically vehicle and pedestrian activities have an immediate impact around the restaurant during peak hours (mealtimes and special events). The weekends, which begin Friday evening and extend through Sunday brunch, are typically the busy times for restaurants. Odors and noise may impact adjacent properties; however the City of Seattle has code provisions to mitigate potential health and safety threats upon adjoining property. Endolyne Joe's and The Last Stop Lounge restaurant has been in operation for approximately one year at this Fauntleroy neighborhood. The restaurant is open between 8:30 AM to 12:00 AM, seven (7) days a week.

The restaurant serves alcohol and is open for breakfast, lunch and dinner. Endolyne Joe's provides a unique dining experience that offers a menu selection "grounded in regional American sensibilities that respects the seasonality of ingredients." Endolyne is one of two eating establishments to find a home in this neighborhood. It provides a flavorful dining experience that enhances the choices of dining venues in West Seattle.

The existing restaurant occupies an area of approximately 3,990 square feet that is proposed to expand internally by 425 square feet to 4,415 square feet. The portion of the expansion is currently occupied by an administrative office use. The existing office area will be converted into a banquet room accommodating approximately 20 additional seats (six tables). All remodeling will take place within the building at ground level. The expansion will represent approximately an 11% increase in floor area, and is anticipated to increase staff by one worker. In addition to the interior space expansion, the restaurant proposes to create a 200 square foot outdoor eating area between the building's front façade and property line. Activity surrounding the outdoor seating area will be dependent on favorable weather conditions. The outdoor seating area will be located adjacent to the 45th Avenue Southwest right-of-way, and will accommodate approximately four tables and eight chairs. The outdoor seating area is solely located on private property. The width of the sidewalk is approximately 12 feet wide.

The additional square footage to the interior space will accommodate approximately 20 customers and increase staffing levels by approximately 1 service provider. Parking will increase by 3 stalls as required by the Land Use Code for the expanded restaurant area. The proposal seeks to provide one (1) additional parking stall above the minimum requirement at the development site. Parking demand is anticipated to increase with the addition of outdoor seating area during favorable weather conditions. The outdoor seating area is anticipated to function similar to a sidewalk café, providing opportunities for neighbors to gather and strengthen the social fabric that makes neighborhoods stronger and more vibrant. Any additional parking demand can be accommodated within the right-of-way. The vehicle impacts are expected to be contained within a one block radius of the development site.

It is further anticipated that pedestrian traffic from surrounding residences and businesses will activate the street and will mitigate potential vehicle traffic to the area. With the addition of the outdoor seating area increases in noise levels upon adjacent lots within the block is anticipated. The combination of alcohol consumption and warm evenings, if not controlled, may invite problems associated with the relaxing of inhibitions. Noise levels should be kept within reasonable decibel levels to ensure health and safety upon the residential zoned lots. Therefore, further mitigation will be required.

"b. The availability of commercial space in the zone for uses which contribute to the function and desired characteristics of the zone, as described in Chapter 23.34;"

A Neighborhood Commercial 1 zone is intended to be a small area composed primarily of businesses providing convenience retail sales and services to the adjoining residential neighborhood. The Neighborhood Commercial 1 zone in which the development site is located is not developed to its capacity, nor is it developed to the policy ideals intended by SMC 23.34.074. The Endolyne restaurant clearly provides a unique dining experience and destination point

for the adjoining residential neighborhood to socially interact. With the addition of the outdoor seating area increased opportunities build a sense of community should be aided, along the 45th Avenue Southwest right-of-way.

“c. The number of business establishments present in the zone that are similar to the business establishment for which expansion is proposed;”

In the vicinity there are currently one Mexican restaurant (located across the street), and one bakery located at the development site that is similar in use to the Endolyne. The relatively small NC1-30 zoned area is surrounded by an expansive residential area. The attractiveness of the development site to increase its economic and social viability relies in part on providing quality service and products. Neighborhood restaurants are beneficial additions that can help shape and define a sense of community. At the moment there appears to be no glut of such services provided in this southwest Seattle neighborhood.

“d. The compatibility of the operating business establishment with the character and scale of the business district and the surrounding neighborhood;”

The increase in the size of this structure maintains compatibility with the scale and character intended for the neighborhood commercial area. The outdoor seating does not detract from the character nor is out of scale with the surround area.

“e. The length of time the business establishment has been operating.”

Endolyne Joe’s and The Last Stop Lounge have been operating at the site as a successful business since 2003.

PUBLIC WELFARE AND INJURY TO PROPERTY IN VICINITY

General provisions for conditional uses in commercial zones (SMC 23.46.006) provide that a use may be approved, conditioned or denied based upon whether it meets specific criteria set forth for the use and also whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

The conditional use analysis and general project description above reveal that the proposal will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. The proposal may result in an increase in traffic and noise associated outdoor activity, but these have been mitigated.

DECISION-SPECIAL EXCEPTION

This Special Exception is **CONDITIONALLY GRANTED.**

CONDITIONS—SPECIAL EXCEPTION

Prior to Issuance of Certificate of Occupancy

1. The location and area of the outside seating area shall be limited to 200 square feet, and shall be sited south of the main entrance between the building's front facade and property line, as described on the approved plan.
2. Hours of operation for the outdoor seating area shall be limited between 8:30 a.m. and 11 p.m. daily.
3. Parking stalls shall be clearly striped to accommodate 27 vehicles as depicted on site plan and a curb shall be placed along edge of stalls 16 and 17 to protect stalls from encroachments from trash and recycling areas.

Compliance with this condition must be verified and approved by the Land Use Planner, Bradley Wilburn (615-0508), or by the Supervising Land Use Planner for the Area where the project is located, Jerry Suder (386-4069), as required in the Director's decision. The responsible party must make an appointment with the assigned Land Use Planner at least three (3) working days in advance of a field inspection. The Land Use Planner will determine whether the condition requires submittal of additional documentation or a field verification to ensure that compliance has been achieved.

Signature: _____ (signature on file) Date: March 8, 2004
Bradley Wilburn, Land Use Planner
Department of Planning and Development

BW:bg

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